

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

RONALD J. JOHNSON, M.D.

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:04CV167

HOLLYWOOD CASINO TUNICA

DEFENDANT

ORDER

This cause is before the Court, sua sponte, for consideration of dismissal. The Court, having considered the matter and being fully advised in the premises, finds as follows, to-wit:

That the plaintiff filed the instant suit on June 23, 2004. The Clerk of Court sent out a Notice of Incomplete Process on September 9, 2004. Plaintiff has taken no action to serve the defendant with process in the intervening nineteen months. Accordingly, the Court is of the opinion that this case should be dismissed pursuant to F.R.C.P. 41(b) based on the plaintiff's failure to prosecute.

IT IS, THEREFORE, ORDERED AND ADJUDGED that this case should be, and hereby is, DISMISSED WITH PREJUDICE, pursuant to F.R.C.P. 41(b).

SO ORDERED, this the 30th day of March, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE